

### **REMARKS**

Claims 1, 3-5, 7, 10, 12-14, 16, 19, 21-23, 25, 28 and 29 remain pending in the present application. Claims 2, 6, 8, 9, 11, 15, 17, 18, 20, 24, 26 and 27 have been cancelled. Claims 1, 3, 10, 12, 16, 19 and 21 have been amended. Claim 29 is new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

### **CLAIM OBJECTIONS**

Claims 17 and 18 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claims 17 and 18 have been cancelled. Withdrawal of the objection is respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1, 2, 7, 8, 10, 19, 20, 25, 26 and 28 are rejected under 35 U.S.C. § 102(b) as being anticipated by Axthammer (U.S. Pat. No. 3,391,922). Applicants respectfully traverse this rejection. Claims 1, 10 and 19 have each been amended to define the booster as defining a housing defining a third pressurized working chamber separate from the first and second working chambers; a piston assembly disposed within said third pressurized working chamber; and, a resilient member disposed between the housing and the piston for biasing the piston.

Axthammer discloses a duct 19 that extends between the air spring and the shock absorber but Axthammer does not disclose, teach or suggest a piston disposed

within the third pressurized chamber (duct 19) or a resilient member for biasing the piston.

Thus, Applicants believe Claims 1, 10 and 19, as amended, patentably distinguish over the art of record. Likewise, Claims 2 and 7, which ultimately depend from Claim 1, and Claims 25 and 28, which ultimately depend from Claim 19, are also believed to patentably distinguish over the art of record. Claims 8, 20 and 26 have been cancelled. Reconsideration of the rejection is respectfully requested.

#### **REJECTION UNDER 35 U.S.C. § 103**

Claims 9, 11, 16-18 and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Axthammer in view of Bourcier de Carbon (U.S. Pat. No. 2,774,446). Claim 16 ultimately depends from Claim 10. As detailed above, Claim 10 has been amended and is now believed to patentably distinguish over the art of record. Thus, Claim 16 is also believed to patentably distinguish over the art of record. Claims 9, 11, 17, 18 and 27 have been cancelled. Reconsideration of the rejection is respectfully requested.

#### **DOUBLE PATENTING**

Claims 1-28 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-22 of Lemmons, et al. (U.S. Pat. No. 8,814,347) in view of Bourcier de Carbon (U.S. Pat. No. 2,774,446). Enclosed is a Terminal Disclaimer Applicants believe is in compliance with 37 CFR 1.321(c). This Terminal Disclaimer is in relation to U.S. Pat. No. 6,814,347 and is believed to overcome

the double patenting rejection since Bourcier de Carbon only discloses spring F. Reconsideration of the rejection is respectfully requested.

#### **NEW CLAIMS**

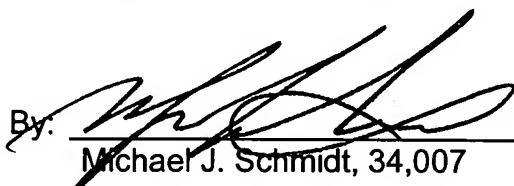
New Claim 29 is an independent claim similar to Claim 1, but it does not include the limitation of the resilient member.

#### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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